

CITY OF DURHAM | DURHAM COUNTY NORTH CAROLINA



ZONING MAP CHANGE REPORT

Meeting Date: February 4, 2013

	Table A. Summary						
Application	n Summ	ary					
Case Number		Z12	200016			Jurisdiction	City
Applicant		The	e John R. McAdams C	ompany, Ind	С.	Submittal Date	July 9, 2012
Reference	Name	Cov	vington Hall Mixed Us	se		Site Acreage	13.98
Location			21 and 5411 Page Roa ter Road.	ad, on the so	outh s	side of Page Road	d at its intersection with
PIN(s)		074	47-04-64-0953, -54-4	507			
Request		•					
Proposed Zoning	i development nian (ivii ii ii i /		nt plan (MU(D)) /	Proposal	squa	150-300 residential units, 116,300-125,000 square feet of office use, and 1,200-10,000 square feet of commercial use	
Site Charac	Site Characteristics						
Development Tier			Suburban Tier and Compact Neighborhood Tier				
Land Use Designation		ion	Office and Industria	ıl			
Existing Zoning			Industrial Park (IP)				
Existing Use			Vacant commercial and commercial office				
Overlay			MTC (partial)		Drai	nage Basin	Lower Neuse
River Basin)		Neuse		Stre	am Basin	Stirrup Iron Creek
Determina	Determination/Recommendation/Comments						
Staff		Staff determines that, should the plan amendment be approved, this request is consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.					
Planning Commissio							

Table A. Summary		
DOST	No comments	
ВРАС	See Attachment 8, BPAC Memorandum	

A. Summary

This is a request to change the zoning designation of two parcels totaling 13.98 acres from IP/Suburban and Compact Neighborhood Tiers to MU(D)/Compact Neighborhood Tier for a project with a proposed mix of uses to include 150 – 300 residential units, 116,300 – 125,000 square feet of office use, and 1,200 – 10,000 square feet of commercial use. The site is located at 5321 and 5411 Page Road, on the south side of Page Road its intersection with Slater Road (see Attachment 1, Context Map). Should the associated plan amendment, Case A1200007, be approved, this zoning request would be consistent with the future land use map designation of the *Comprehensive Plan* as well as other adopted policies and ordinances. Staff is supporting the plan amendment request to change the future land use designation of this site from Industrial and Office to entirely Office.

Appendix A provides supporting information.

B. Site History

There have been no recent zoning map change requests for this site.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (see Appendix A, Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the MU district (Sec. 3.5.6.D and 6.11.7). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards. A summary of these commitments

includes construction of two bus shelters, landscape design guidelines, dedication of right-of-way along both sides of Slater Road, vertical integration of at least one building, sidewalk along the south side of Slater Road, and restriping of site driveway along Slater Road.

Graphic Commitments. Graphic commitments include the general location of site access points.

Design Commitments. A summary of the design commitments includes new buildings will use elements of International style architecture with flat or parapet roofs. Exterior surface materials include: brick and or architectural block, traditional and or synthetic stucco, precast concrete panels, split face of ground face CMU, stone or cultured stone, glass, aluminum or other metal panels, durable fabric or metal accents and awnings, metal down spouts, metal, glass or vinyl balcony railing. Covington Hall will include punched windows and punched balcony openings at regular spacing. Larger glass areas that simulate the pattern of spandrel glass will also be used.

Determination. The requested MU(D) zoning district and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Appendix A, Attachment 4) establishes the level of development allowed on the property.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. Should the associated plan amendment (Case A1200007) be approved, the requested zoning district and associated development plan would be consistent with the Future Land Use Map and other policies of the *Comprehensive Plan*.

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.8. A proposed bicycle lane is shown as a recommendation of the Long Range Bicycle Plan Map 4.8 along Page Road and Slater Road. If approved, this project is not required to construct road improvements and therefore does not warrant improvements associated with the bicycle lanes.

F. Site Conditions and Context

Site Conditions. This 13.98-acre site is located at 5321 and 5411 Page Road, on the south side of Page Road at its intersection with Slater Road. The site in the southern quadrant of Page Road and Slater Road is a fully developed four-story office building positioned at the corner of the lot with an associated surface parking lot to the side and rear of the building. The site across Slater Road acts as overflow surface parking for the office building. The parking lot is shielded from view by a vegetated area along the frontage of Page Road.

Vegetation extends to the rear of the site (easternmost area). There is a stormwater management feature on site; however, there are no other known surface water features.

Area Characteristics. The site straddles the Suburban Tier and Triangle Metro Compact Neighborhood Tier boundary. Land surrounding the subject site is largely zoned Industrial Park (IP), a planned zoning district that is intended to provide opportunities for a range of light industrial, manufacturing, research activities, and support commercial uses in a unified campus setting. As such, many of the impacts typically associated with Industrial development are limited by restrictions of the existing IP district. The area is a large employment node with little residential opportunities within walking distance.

The site is within ½ mile to the east of the proposed TTA Rail Station, Triangle Metro Center. The area surrounding Triangle Metro Center was designated as a Compact Neighborhood Tier with the implementation of the 2005 *Comprehensive Plan*. However, did not include the northeastern parcel of the subject site.

The site is less than ½ mile south of Interstate – 40 which provides easy vehicle access to the region. A portion of the subject site is within the Major Transportation Corridor (MTC) Overlay which was intended to help protect the viewsheds of travelers on this corridor.

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed MU(D)/Compact Neighborhood Tier and associated development plan meets the ordinance and policy requirements in relation to development on the subject site. A mixed use project that incorporates residential, office, and commercial activities is compatible with the existing area. The residential component, being in close proximity to transit and employment opportunities, is beneficial to the future policy vision for the Compact Neighborhood Tier, which is to allow higher density and intensity infill around regional transit stations.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed MU(D) district and associated development plan is consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of road, transit, utility, drainage/stormwater, schools and water supply. The proposal is estimated to increase the traffic generation of the subject site by 216 daily trips, increase the students generated from the proposed use by 64 students, and increase the estimated

water demand of the site by 31,413 gallons per day. The existing infrastructure has available capacity to meet these increases.

H. Staff Analysis

This request, should the plan amendment be approved, is consistent with the *Comprehensive Plan* and other polices and ordinances. If the requested MU(D) zoning designation and Compact Neighborhood Tier were approved, the development plan would further establish the development potential of the site considering the text and graphic commitments proffered.

Residential Infill. The proposed MU district and associated development plan shows 150 – 300 residential units which would provide residential options in close proximity to employment opportunities. Residents would also have a range of transportation options available to them for traveling throughout the region including bus and (planned) rail.

I. Contacts

Table I. Contacts				
Staff Contact				
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov		
Applicant Contact				
Bob Zumwalt, The John R. McAdams Company, Inc.	Ph: 919-361-5000	zumwalt@johnrmcadams.com		

J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Partner's Against Crime District 4
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress
- Center of the Region Enterprise (CORE) Wake County
- Center of the Region Enterprise (CORE) City of Raleigh
- Center of the Region Enterprise (CORE) Town of Cary
- Center of the Region Enterprise (CORE) Town of Morrisville
- TTA Station Sites
- RDU HZO Permit Area

K. Summary of Planning Commission Meeting December 11, 2012 (Case Z1200016)

Zoning Map Change Request: Industrial Park (IP) to Mixed Use with a development plan (MU(D) / Compact Neighborhood Tier.

Staff Report: Ms. Jacobson and Ms. Wolff presented the staff report.

Public Hearing: Chair Monds opened the public hearing. Two spoke in support and none against. Chair Monds closed the public hearing.

Commission Discussion: Discussion centered on mixed use and density.

Motion: Approval of the Zoning Case Z1200016. (Mr. Davis, Mr. Smudski 2nd).

Action: Motion carried, 12-1 with Ms. Winders voting no.

Findings: The Planning Commission finds that the ordinance request is not consistent with the adopted *Comprehensive Plan*. However, should the plan amendment be approved, the request would be consistent with the *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

L. Supporting Information

Table K. Supporting Information				
Applicability of Supporting Information				
Appendix A	Application	Attachments: 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Owner's Acknowledgement 7. BPAC Memorandum 8. Submittal and Review History		
Appendix B	Site History	N/A		
Appendix C	Review Requirements	N/A		
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements Table D3: Project Boundary Buffers Table D4: Summary of Development Plan		
Appendix E	Adopted Plans	Table E: Adopted Plans		
Appendix F	Site Conditions and Context	Table F: Site Context		
Appendix G	Infrastructure	Table G1: Road Impacts		

Table K. Supporting Information				
	Attachments:			
		9. DDOT TIA Memorandum		
	10. NCDOT TIA Memorandum			
		Table G2: Transit Impacts		
		Table G3: Utility Impacts		
	Table G4: Drainage/Stormwater Imp			
	Table G5: School Impacts			
		Table G6: Water Impacts		
Appendix H	Staff Analysis	N/A		
Appendix I	Contacts	N/A		
Appendix J	Notification	N/A		
		Attachments:		
Appendix K	Summary of Planning	11. Planning Commissioner's Written		
1-1	Commission Meeting	Comments		
		12. Ordinance Form		

Appendix A: Application Supporting Information

Attachments:

- 1. Context Map
- 2. Future Land Use Map
- 3. Aerial Photography
- 4. Development Plan Reduction
- 5. Application
- 6. Owner's Acknowledgement
- 7. BPAC Memorandum
- 8. Submittal and Review History

Appendix D: Unified Development Plan Supporting Information

	Table D1. UDO Designation Intent				
ми	Mixed Use: the MU district is established to provide innovative opportunities for an integration of diverse but compatible uses into a single development that is unified by design features. A development plan is required with a request for this district; which shows a conceptual representation of the proposed site that indicates how the ordinance standards could be met. Any significant change to the development plan would require a new zoning petition.				
D	Development Plan – the letter "D" following a zoning district indicates that a development plan has been included with a zoning map change request. This designation may be added to any zoning map change request to signify that a conceptual representation of the proposed site has been submitted that indicates how the proposed development could meet ordinance standards. Any significant change to the development plan would require a new zoning petition.				
МТС	Major Transportation Corridor Overlay – the –MTC Overlay is established to enhance the economic and aesthetic appeal and orderly development of properties adjacent to major transportation corridors. Certain arterial streets, parkways and expressways are of critical importance to Durham City and County. Rights-of-way carrying high volumes of traffic are image makers for Durham City and County. They act as entryways for visitors and residents and also serve as an indicator of the quality of life found in the area. Standards are provided to ensure that thoroughfares in this overlay develop with improved traffic efficiency and safety by reducing visual clutter and avoiding inappropriate site design.				

Table D2. District Requirements – MU				
	Code Provision	Required	Committed	
Uses	6.11.7.A	Residential and at least one of the following: public and civic, commercial, or office	Residential: 150-300 units Office: 16,300-125,000 square feet Commercial: 1,200-10,000 square feet	
Minimum Site Area (acres)	6.11.7.B.1	4	13.98	
Use Area	6.11.7.B.2	No single use to occupy more than 60% of gross acreage	No single use to occupy more than 60% of gross acreage	
Transitional Use Area (TUA)	6.11.7.C	Use and building scale to match adjacent property and no more than one story (15 foot) height differential within the 50-foot buffer	Use and building scale to match adjacent property and no more than a one story (15 foot) height differential within 50-foot buffer	
Maximum Residential Density (DU/Ac.)	6.11.7.D	52.5	21.49	
Nonresidential Intensity	6.11.7.E	Minimum floor area = 30% of parcel	Minimum floor area = 30% of parcel	
Maximum Height (feet)	6.11.7.F	145 if shown	145	
Maximum Street Yard (feet)	6.11.7.G.3	15	15	
Open Space	6.11.7.H	2% (0.28 acres)	2% (0.28 acres)	
Bus Shelter	6.11.7.N.1	Construct bus shelter if adjacent to transit line	Construction of up to two bus shelters per text commitment #1.	

Table D3. Project Boundary Buffers				
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity	
North	IP	N/A (Compact Tier)	N/A	
East	IP	N/A (Compact Tier)	N/A	
South	IP	N/A (Compact Tier)	N/A	
West	IP	N/A (Compact Tier)	N/A	

Table D4. Summary of Development Plan				
Components	Description	Development Plan Sheet		
	Intensity/Density. Residential: 150-300 units (10.74-21.49 DU/Ac.) Office: 116,300 – 125,000 square feet Commercial: 1,200 – 10,000 square feet	C-2		
	Building/Parking Envelope has been appropriately identified.	C-2		
	Project Boundary Buffers are not applicable to this project in the Compact Neighborhood Tier.	N/A		
	Stream Crossing. No streams on site.	N/A		
Required Information	Access Points. Seven (7) access points have been identified along with previously recorded cross-access agreement with PIN 0747-04-54-7339 along the property line.	C-2		
	Dedications and Reservations. Right-of-way dedication along both sides of Slater Road (see text commitment #3)	Cover, C-2		
	Impervious Area. 95% = 13.262 acres	C-2		
	Environmental Features. None identified.	C-1		
	Areas for Preservation. None.	N/A		
	Tree Coverage. None required in the Compact Neighborhood Tier			
Graphic Commitments	Location of access points.	C-2		
	 Construction of up to two bus shelters at the existing transit stops on Slater Road, as shown on Sheet C-2. Construction of shelters will be subject to the acquisition of any necessary right-of-way and to approval by City Transportation, DATA and TTA at the time of site plan submittal. 			
Text	 Throughout the project, the landscape species palate will include, but not be limited to, native and water wise species, as defined by the Unified Development Ordinance and the Landscape Manual for Durham, NC. 			
Commitments	3. Prior to the issuance of any building permit: Dedicate additional right-of-way for the frontage of the site along both sides of Slater Road to provide a minimum of ten feet of right-of-way as measured from the back-of-curb.	Cover		
	Project will include at least one vertically integrated building.			
	 Slater Road and Proposed East Site Driveway/Existing Office Driveway: 			
	a. Stripe an exclusive eastbound left-turn lane			

Table D4. Summary of Development Plan				
	with adequate storage and appropriate tapers on Slater Road at the east side driveway; and			
	 Stripe an exclusive westbound left turn lane with adequate storage and appropriate tapers on Slater Road at the existing office driveway. 			
	 Prior to the issuance of a certificate of occupancy, construct a five foot wide concrete sidewalk to City of Durham standards along the south side of Slater Road for the frontage of parcels identified by PIN 0747-04- 54-7339 and 0747-04-54-1395. 			
SIA Commitments	None provided	N/A		
Design Commitments (summary)	New buildings will use elements of International style architecture including the following element: minimal detailing on the rooflines, contemporary building materials, horizontal building forms and occasional ribbon and storefront windows. All structures will have flat or parapet roofs. Exterior surface materials include: brick and or architectural block, traditional and or synthetic stucco, precast concrete panels, split face of ground face CMU, stone or cultured stone, glass, aluminum or other metal panels, durable fabric or metal accents and awnings, metal down spouts, metal, glass or vinyl balcony railing. Covington Hall will include punched windows and punched balcony openings at regular spacing. Larger glass areas that simulate the pattern of spandrel glass will also be used.	Cover		

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans					
Comprehensive Plan	Comprehensive Plan				
Policy	Requirement				
Future Land Use Map	Industrial: Land used primarily for industrial uses. Office: Land used primarily for office uses. Suburban Tier: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial. Compact Neighborhood Tier: areas identified for high density and intensity infill, redevelopment, and new development that integrate a mix of uses through an urban fabric that includes enhanced bicycle and pedestrian facilities. This tier is expected to have an improved street level experience and discourage auto-oriented and low intensity uses.				
2.1.2e	Compact Neighborhood Tier Defined. This tier consists of areas surrounding proposed fixed guideway transit stations. These are areas identified for high density and intensity infill, redevelopment, and new development that integrate a mix of uses through an urban fabric that includes enhanced bicycle and pedestrian facilities. This tier is expected to have an improved street level experience and discourage auto-oriented and low intensity uses.				
Compact Neighborhood Development Tier Land Uses. Utilize a De District for all Compact Neighborhoods through the Compact Neighborhoods through					
 Mixed Use Project Location. Direct and support the use of zor encourage mixed use in locations that avoid environmentally shazardous environments, are well-connected by multiple mod transportation, and are efficiently served by community infrast services. 					
2.3.1b	Contiguous Development: Support orderly development patterns that take advantage of the existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Urban Growth Area.				
8.1.2j	Transportation Level of Service Maintenance: Not recommend approval for any zoning map change which would result in the average daily trips exceeding 110% of the adopted level of service standards for any adjacent road, unless the impact on the adjacent roads is mitigated.				
8.1.4c and d	Development Review and the Adopted Bicycle Plans: Review development proposals in relation to the 2006 Comprehensive Durham Bicycle Transportation Plan and the Bicycle Component of the most recent adopted Long Range Transportation Plan, and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan and Complete Street design standards.				

Table E. Adopted Plans			
11.1.1a	School Level of Service Standard: The level of service for public school facilities shall be established as a maximum enrollment of 110 percent of the system's maximum permanent building capacity, measured on a systemwide basis for each type of facility.		
Adequate Schools Facilities: Recommend denial of all Zoning Map amendments that proposed to allow an increase in projected stude generation over that of the existing zoning that would cause school type to exceed the level of service.			
Long Range Bicycle Plan			
Map 4-8 shows a proposed bicycle lane along both Page Road and Slater Road.			

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context					
	Existing Uses	Zoning Districts	Overlays		
North	Commercial, retail, office	IP	MTC		
East	Office	IP	MTC (partial)		
South	Office, daycare	IP	N/A		
West	Vacant	IP	N/A		

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts					
Interstate-40 and NC 54 Highway (both maintained by NCDOT) are the major roads impacted by the proposed zoning change. There are no scheduled City of Durham or NCDOT roadway improvement projects in the area.					
Affected Segments	Interstate 40	NC 54 Highway			
Current Roadway Capacity (LOS D) (AADT)	166,000	33,300			
Latest Traffic Volume (AADT)	174,000	21,000			
Traffic Generated by Present Designation (average 24 hour)*		2,123			
Traffic Generated by Proposed Designation (average 24 hour)**		2,339 (103% if TIA)			
Impact of Proposed Designation		+216			

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2009)

I-40: 8-lane Freeway

NC 54: 4-lane undivided Class II arterial with left-turn lanes Source of Latest Traffic Volume: 2011 NCDOT Traffic Count Map *Assumption- (Max Use of Existing Zoning) – IP: 182,834 sf office

^{**}Assumption- (Max Use of Existing Zoning) – MU(D): Per TIA: 300 apartment units and a 10,000 square-foot health/fitness club

Attachments

- 9. DDOT TIA Memorandum
- 10. NCDOT TIA Memorandum

Table G2. Transit Impacts

Transit service is currently provided within one-quarter mile of the site along Slater Road (west of Page Road) and Page Road (north of Slater Road) via Triangle Transit Routes 311, 800, and 805.

Table G3. Utility Impacts

This site is served by City water and sewer.

Table G4. Drainage/Stormwater Impacts

The impacts of any change will be assessed at the time of site plan review. The subject site is of sufficient size and shape to accommodate appropriate stormwater facilities that may be required at this time.

Table G5. School Impacts

The proposed zoning is estimated to generate 64 students. This represents an increase of 64 students over the existing zoning. Durham Public Schools serving the site are Bethesda Elementary School, Lowes Grove Middle School, and Hillside High School.

Students	Elementary School	Middle School	High School
Current Building Capacity	16,832	7,717	9,980
Maximum Building Capacity (110% of Building Capacity)	18,515	8,489	10,978
20 th Day Attendance (2012-13 School Year)	16,150	7,212	9,476
Committed to Date (October 2009 – September 2012)	255	74	3
Available Capacity	2,110	1,203	1,499
Potential Students Generated – Current Zoning*	0	0	0
Potential Students Generated – Proposed Zoning**	37	14	13
Impact of Proposed Zoning	+37	+14	+13

^{*}Assumption (Max Use of Existing Zone) - No residential permitted in existing district.

^{**}Assumption (Max Use of Proposed Zoning) – 300 apartments.

Table G6. Water Supply Impacts				
This site is estimated to generate a total of 45,125 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 31,413 GPD over the existing zoning district.				
Current Water Supply Capacity	37.00 MGD			
Present Usage	27.41 MGD			
Approved Zoning Map Changes (October 2009 – September 2012)	0.69 MGD			
Available Capacity	8.90 MGD			
Estimated Water Demand Under Present Zoning*	13,712 GPD			
Potential Water Demand Under Proposed Zoning**	45,125 GPD			
Potential Impact of Zoning Map Change	+31,413			

Notes: MGD = Million gallons per day

Appendix K: Summary of Planning Commission Meeting

Attachments:

- 11. Planning Commissioner's Written Comments
- 12. Ordinance Form

^{*}Assumption- (Max Use of Existing Zoning) – 182,834 square feet office

^{**}Assumption- (Max Use of Proposed Zoning) – 300 apartments, 125,000 square feet of office uses, 10,000 square feet of commercial